

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

In the Matter of	)	
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	)	
Structure and Practices of the	)	CG Docket No. 10-51
Video Relay Service Program	)	
	)	
Telecommunications Relay Services And	)	CG Docket No. 03-123
Speech-to-Speech Services for Individuals	)	
with Hearing and Speech Disabilities	)	
	)	
To: The Commission	)	

**ANNUAL REPORT ON PROGRESS OF MEETING WAIVED REQUIREMENTS**

Purple Communications, Inc. ("Purple") hereby provides its annual report on progress toward meeting certain telecommunications relay services ("TRS") requirements that are waived for IP enabled relay services ("IP-Enabled Relay Services").

**Equal Access to Interexchange Carrier** – Previous to adoption of 10 digit numbering, Purple did not have access to sufficient information to implement Equal Access. With the introduction of 10 digit numbering, we do have this information, but that is insufficient to implement Equal Access for several reasons. First, the nature of IP enabled traffic is such that calls to and from deaf and hard of hearing persons are transmitted over the Internet from the deaf user to the relay call center. Thus, the PSTN is bypassed for that portion of the traffic. The leg of the call which likely uses interexchange carriers is from the relay center to the called party. Purple suggests that in those circumstances, Equal Access is not an appropriate concept from the deaf user's perspective as the relay center is the actual interexchange carrier customer.

Second, Purple has configured its use of interexchange carriers to minimize telecommunications costs. Requiring it to utilize a variety of interexchange carriers for call completion would substantially increase operating costs with no appreciable consumer benefit. The Interstate TRS Fund would bear these additional costs.

Third, Purple operates call centers in several states, each of which operates on a different schedule and each of which has available a different mix of interexchange carriers. Calls are assigned to the call centers based on interpreter availability. Thus, it is impossible to guarantee routing of an outbound consumer call to any one particular interexchange carrier.

Fourth, administratively offering Equal Access would be unduly burdensome. Purple presently lacks the resources to layer this task onto our operations. Introduction of equal access for IP enabled callers would substantially increase costs for IP enabled callers due to increased networking costs Purple would encounter. Purple does not have access to accurate billing information; any interexchange carrier chosen by the calling party would not be able to determine applicable rates for the telephone call to the called party nor a suitable destination to

which a carrier bill could be sent. Purple does not have a direct billing mechanism with our users and the creation of such a mechanism would add further administrative costs to us and therefore to the Interstate TRS Fund.

For all of these reasons Purple believes that the waiver of Equal Access for IP enabled relay services should be made permanent.

**Pay-per-call (900) service** – By its nature, pay-per-call (900) service requires that the ANI data for the calling party be collected so that the telephone calls can be billed to the calling party. Prior to 10 digit numbering, Purple was unable to determine the ANI data based on the arbitrary IP addresses associated with these calls. Again, implementation of 10 digit numbering helps to resolve this procedure. However, Purple has not received substantial interest from our relay users for pay-per-call service. In addition, adoption of pay-per-call service would require that Purple implement billing arrangements with users. Accordingly, we believe that this would likely substantially increase its costs of service while bringing little additional utility to users. Therefore, Purple suggests that the waiver of pay-per-call service should be extended indefinitely.

**Operator-assisted Calls** – To accurately identify and bill relay users for long distance charges or operator-assisted calls, a technical solution must be in place for geographic and billing identification of VRS and IP Relay users placing calls from the Internet. As indicated in the discussion of equal access to interexchange carrier and pay-per-call service, no such solution is available at this time and would be costly to build and implement. In the meantime, Purple does not charge VRS and IP Relay users to complete any calls that may otherwise be billed as long distance calls or as operator-assisted calls.

**Call Release** – Call Release remains technologically infeasible in an IP relay and VRS environment. All telephone calls made in the IP relay and VRS environment are made only between the relay centers and the hearing party, using the public switched telephone network. As the deaf user does not connect to a given relay center through the public switched telephone network, but rather through the Internet—using an entirely different protocol—we believe that there is no way for a relay operator to sign off or otherwise be released from a telephone call between the calling party and the called party. This is a fundamental incompatibility between an IP-based relay service and the need to place outbound voice calls, and therefore Call Release should continue to be waived. Furthermore, deaf relay users desiring to contact other deaf relay users have multiple options for point-to-point conversation, such as instant messaging, email, webcams, and point-to-point videophones.

**VCO-to-TTY, HCO-to-TTY, VCO-to-VCO and HCO-HCO** - In general, each of these voice-based services requires a voice telephone call from the called party. As Purple's IP relay and VRS platforms are designed and implemented only to accept deaf originating text and video calls from the Internet, and only to place outbound voice calls from the relay centers to the hearing party using the public switched telephone network, and vice versa, we understand that it is currently technically impossible for Purple to provide voice-based services where a voice call to a relay center is originated by the called party. Purple has been monitoring advances in Voice over Internet Protocol (VoIP), and can envision VoIP calls originated by the called party connecting to our relay centers. However, this would require significant research and development, as well as a substantial architectural and engineering expansion of our IP relay and

VRS platforms, for which there is currently no available funding. In addition, Purple would have no control over the installation and configuration of customer premises equipment that is required to route audible speech between personal computers and/or mobile devices and its relay centers at a high level of quality in order to make this usable on a consistent basis. For this reason, the waiver for voice-based services should be extended indefinitely. These technical challenges notwithstanding, Purple has been able to support certain types of VCO and HCO relay services without requiring that the calling party originate a voice call into a given relay center. For example, Purple currently offers both one-line and two-line VCO in with its VRS. With one-line VCO, the deaf user has gained the convenience of not requiring a separate telephone number for the callback. Instead, the deaf user can speak directly into the computer's microphone, and hear the other party directly through the computer's speakers, providing a more functionally equivalent experience for the user.

**Emergency call handling for Captioned Telephone Services:** CTS users use their own landline or wireless phones to conduct CTS calls. There is no registration needed and their ANI is passed through to the party they are calling. This applies to emergency calls as well.

**Speech-to-speech.** Purple has been monitoring advances in VoIP, and can envision VoIP calls originated by the called party connecting to our relay centers. However, this would require significant research and development, as well as a substantial architectural and engineering expansion of our IP enabled relay platforms, for which there is currently no available funding. In addition, Purple would have no control over the installation and configuration of customer premises equipment that is required to route audible speech between personal computers and/or mobile devices and its relay centers at a high level of quality in order to make this usable on a consistent basis

**Porting of other provider supplied video equipment.** The FCC released its Report and Order governing the implementation of ten digit numbering for Internet Protocol ("IP") and VRS providers on June 24, 2008.<sup>1</sup> Paragraphs 60 and 61 of that order, together with FCC Rule §64.611(e), require that when a relay user ports a number from one provider to another, providers who distribute CPE must ensure that their devices continue delivering routing information to the user's new default provider to enable that new default provider to provision routing information to the central database. In addition, the rule prohibits providers who have given out devices, but who are no longer acting as the user's default provider, from acquiring routing information from that user.<sup>2</sup> However, these provisions are currently waived due to the inability of providers technically to comply with these rules. We believe that this waiver should be continued pending revision or repeal of these requirements since compliance is not technically or functionally feasible.

We incorporate by reference in our 2010 Annual Waiver Report the various challenges and petitions that are pending to revise the equipment porting problems. These filings explain various problems with the porting requirements. We also incorporate by reference our comments

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<sup>1</sup> Telecommunications Relay Services, 23 FCC Rcd 11591 (2008) (June Numbering Order); Petition at 2.

<sup>2</sup> 47 C.F.R. §64.611(c)(2)(i); Numbering Order at ¶61.

on the porting issue in the current VRS Reform rule-making proceeding. We look forward to further guidance from the Commission on this issue.

Respectfully submitted,

PURPLE COMMUNICATIONS, INC.

By: \_\_\_\_\_/s/ \_\_\_\_\_

Kelby Brick

Vice President, Regulatory & Strategic Policy

Purple Communications, Inc.

2118 Stonewall Road

Catonsville, MD 21228

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